

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

:

v.

:

CRIMINAL NOs. 14-516 - File
14-496 - X

NATHANIEL DA-MEIR COLES,

:

a/k/a "Daz,"

:

a/k/a "D,"

a/k/a "Big Bat"

ORDER

AND NOW, this 28th day of November, 2018, upon consideration of the Parties' Joint Motion to Consolidate the above-listed cases for the purposes of sentencing, it is hereby

ORDERED

that the motion is granted, and that the above-listed cases are hereby consolidated for the purposes of sentencing.

BY THE COURT:



HONORABLE GERALD A. MCHUGH
Judge, United States District Court

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JOINT MOTION TO CONSOLIDATE

The United States of America, by its undersigned attorneys, hereby respectfully moves the Court to consolidate the above-listed cases for the purposes of sentencing.

In support of this motion the government states:

1. On September 26, 2014, the defendant was arrested and two related indictments against him were unsealed: Indictment No. 14-496 and 14-516. These indictments were returned by a federal grand jury and charge drug offenses. The charges arose from a single investigation into the illegal distribution of cocaine, cocaine base ("crack"), and heroin by the defendant and numerous other individuals in the City of Chester, PA.

2. These indictments were "related" pursuant to the United States District Court's "Related Case Rule," Local Criminal Rule of Procedure 50.1, which was made effective on February 1, 2010. This rule requires that, "at the time of the filing of any criminal indictment or information, counsel for the government shall indicate whether a case is related to any other prior or pending action in this court. Criminal cases are deemed related if a defendant or defendants are alleged to have participated in the same action or transaction, or in the same series of acts or transaction, constituting an offense or offenses." Local Rule Crim. P. 50.1(d)(3). As a

result, both cases assigned to the same District Court Judge, the Honorable Gerald A. McHugh.

3. Although each of the above-listed cases involves unique evidence, there is evidence common to both cases, including Rule 16 discovery materials.

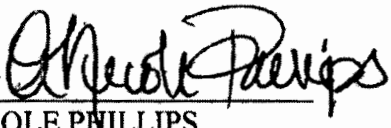
4. The defendant proceeded to trial in Criminal No. 14-496, and on February 16, 2017, he was convicted, by a jury, of conspiracy to possess with the intent to distribute 5 kilograms or more of cocaine, in violation of Title 21, United States Code, Section 846, before this Court.

5. As to Criminal No. 14-516, the parties have negotiated a non-trial disposition, which includes a joint recommendation to the Court, pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C), that the following specific sentence is the appropriate disposition of this case: 120 months' imprisonment, to run concurrent to the sentence to be imposed in Criminal No. 14-496; a mandatory term of 8 years of supervised release up to a lifetime of supervised release; a fine, if any, in an amount fixed by the Court; and a \$700 special assessment. Accordingly, the interests of judicial economy would be strongly promoted by consolidating these cases for the purposes of sentencing.

6. The defendant has discussed this motion with his counsel and joins in the motion.

WHEREFORE, the parties respectfully request that the above-listed indictments be consolidated for purposes of guilty plea and sentencing.

WILLIAM M. MCSWAIN
United States Attorney

/s/ 
A. NICOLE PHILLIPS
ROBERT E. ECKERT
Assistant United States Attorneys

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Parties Joint Motion to Consolidate has been emailed to the following defense counsel:

Counsel for Nathaniel Coles

Dina Chavar, Esquire
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/s/ 
A. NICOLE PHILLIPS
Assistant United States Attorney

Date: November 27, 2018